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Director's Office  
Office of Patent Publication

|                             |   |                             |
|-----------------------------|---|-----------------------------|
| In re Application of        | : |                             |
| Robert W. Batz Jr., et al.  | : | <b>DECISION ON PETITION</b> |
| Application No. 09/390,501  | : |                             |
| Filed: September 3, 1999    | : |                             |
| Docket Number: SEM4492P1072 | : |                             |

This is a decision on the Correspondence received January 23, 2002, which is being treated as a Petition to Withdraw the Holding of Abandonment under 37 CFR 1.181(a).

The petition is **Granted**.

The petitioner has provided supporting evidence that the issue fee was timely submitted via Certificate of Transmission on June 27, 2001 and is in compliance with 37 CFR 1.8(b) in that (1) the Patent and Trademark Office (PTO) was promptly informed of the previous timely transmission, (2) a copy of the previously faxed Issue Fee Transmittal Letter, with certificate of transmission thereon has been submitted, and (3) affidavits which attest to the previous timely transmission have been submitted.

In view of the above, the holding of abandonment for failure to timely pay the issue fee is hereby withdrawn. Accordingly, the issue fee will be accepted as having been timely mailed via Certificate of Transmission on June 27, 2001.

Application No. 09/390,501 will be forwarded to the Publishing Division to be processed into a patent.

Telephone inquiries relating to this matter may be directed to the undersigned in the Office of Patent Publication at 703-305-5340.

A handwritten signature in cursive script, reading "Frederick E. Briscoe". The signature is written in dark ink and is positioned above the printed name and title.

Frederick E. Briscoe  
Legal Instruments Examiner  
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